

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

TANAKA, Takahide  
Ishibashi Building, 22-9  
Hatchobori 3-chome  
Chuo-ku  
Tokyo 104-0032  
JAPON

Date of mailing (day/month/year)  
11 May 2006 (11.05.2006)

Applicant's or agent's file reference  
P4003

**IMPORTANT NOTIFICATION**

International application No.  
PCT/JP2004/008448

International filing date (day/month/year)  
16 June 2004 (16.06.2004)

Applicant

KABUSHIKI KAISHA PILOT CORPORATION et al

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

**2. Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

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ATTACHMENT G

## PATENT COOPERATION TREATY

## PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference P4003	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2004/008448	International filing date ( <i>day/month/year</i> ) 16 June 2004 (16.06.2004)	Priority date ( <i>day/month/year</i> ) 26 June 2003 (26.06.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KABUSHIKI KAISHA PILOT CORPORATION		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).
2. This REPORT consists of a total of 7 sheets, including this cover sheet.  
  
In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 740 14 35	Date of issuance of this report 01 May 2006 (01.05.2006)
	Authorized officer  Yoshiko Kuwahara  Telephone No. +41 22 338 90 90

# PATENT COOPERATION TREATY

TRANSLATION

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference  
**P4003**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.  
**PCT/JP2004/008448**

International filing date (day/month/year)  
**16.06.2004**

Priority date (day/month/year)  
**26.06.2003**

International Patent Classification (IPC) or both national classification and IPC

Applicant

**KABUSHIKI KAISHA PILOT CORPORATION**

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/008448

Box No. I      Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/008448

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-10	YES
	Claims		NO
Inventive step (IS)	Claims	8	YES
	Claims	1-7, 9-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations:

Document 1: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 70962-1982 (Laid-open No. 175091/1983) (Norio KIKUKAWA), 22 November 1983, Full text; Figs. 1-3, 6, 8-9

Document 2: JP 2552183 Y2 (Pentel Co., Ltd.), 27 October 1997, Full text; all drawings

Document 3: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 11370/1979 (Laid-open No. 110288/1980) (New Nippon Electric Co., Ltd.), 02 August 1980, Full text; all drawings

Document 4: CD-ROM of the specification and drawings annexed to the request of Japanese Utility Model Application No. 41471/1992 (Laid-open No. 93882/1993) (Okashiro Kanagata Kasei Kabushiki Kaisha), 21 December 1993, Full text; Figs. 1-4

Document 5: JP 2002-337495 A (Mitsubishi Pencil Co., Ltd.), 27 November 2002, Full text; all drawings

Document 6: JP 11-216985 A (Pentel Co., Ltd.), 10 August 1999, Full text; all drawings

Document 7: JP 3348180 B2 (Pentel Co., Ltd.), 20 November 2002, Full text; Figs. 1-6

Document 8: JP 2003-512960 A (Sanford, LP), 08 April 2003, Full text; all drawings

Document 9: JP 2000-355185 A (Pentel Co., Ltd.), 26 December 2000, Full text; all drawings; particularly, Claim 1; Figs. 1-2, 5

Claims 1-2

The inventions of claims 1 and 2 do not appear to involve an inventive step because they are obvious to a person skilled in the art based on documents 1-6.

Document 1 has the following description:

Specification, page 1, lines 5-16 Claim 1

"A writing instrument holding correction instrument...provided with a cylindrical portion for external attachment to a writing instrument such as a pencil and a holding portion provided at the periphery of the cylindrical portion as a single unit."

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

Specification, page 2, lines 1-4 Claim 3

"The writing instrument holding correction instrument mentioned in Claim 1 for which the cylindrical portion and the holding portion are composed by an elastic member such as soft plastic or rubber."

Specification, page 4, line 16-page 5, line 7

"A holding correction instrument B externally attached to a writing instrument A such as a pencil comprises a cylindrical portion 1 composed by an elastic member such as soft plastic or rubber and a holding portion 2 provided as a single unit at the outer circumference of the cylindrical portion 1 in Fig. 1-Fig. 3. The cylindrical portion 1 and the holding part 2 may...be a single unit in which they are mutually attached to compose a separate body. In further detail, the cylindrical portion 1 comprises said cylindrical portion 2 (note: apparently a typographical error for "cylindrical portion 1") through a tube body provided with brim portions 1a and 1b at the front and rear ends, and the holding portion 2 is externally attached between the brim portions 1a and 1b at the outer circumference of the tube body, thereby forming a single unit of the cylindrical portion 1 and the holding portion 2 as shown in Fig. 6."

Documents 2-5 describe providing unevenness in the inner surface of a grip member and document 6 describes providing an uneven surface on the cylindrical body of a writing instrument for easy attachment of the grip member to the grasping portion of the shaft tube body of the writing instrument.

Consequently, the inventions of claims 1 and 2 would be easily conceived by a person skilled in the art by applying the technical matter relating to layering the grip member and the shaft tube described in documents 2-6 to the layered structure of the cylindrical portion and the holding portion described in document 1.

Claims 1, 3

The inventions described in claims 1 and 3 do not appear to involve an inventive step because they are obvious to a person skilled in the art based on documents 1 and 7.

Document 7 has the following description:

Claims Claim 1

"A holding member structure in a writing instrument in which a concave portion is formed at the front portion of a shaft tube, a holding member made of a material softer than the material of the shaft tube is attached to the concave portion, and the holding member is fixed by a tip member attached to the shaft tube end, wherein said holding member structure in said writing instrument is characterized in that said concave portion is formed so as to progressively increase in diameter from the front end to the rear of the shaft tube, and the inner diameter of said holding member is formed so as to progressively increase in diameter from the front end to the rear, tightly fitting with said concave portion."

Paragraph 0009

"The operation is described next. When the holding member 12 is attached to the concave portion 11 of the front shaft 2, the outer surface of the concave portion 11 and the inner surface of the holding member 12 are placed in contact at the final insertion position or thereabouts. Consequently, there is no frictional resistance between the inner surface of the holding member 12 and the outer surface of the concave portion 11. In further detail, immediately before or at that time when the rear end of the holding portion 12 contacts the rear end portion 11a of the concave portion 11, the entire inner surface of the holding portion 12 fits tightly with the surface of the concave portion 11. Back-and-forth movement of the holding member 12 can be controlled by threading the tip member 3."

Supplemental Box

Continuation of Box V.2

The inventions described in claims 1 and 3 would be easily conceived by a person skilled in the art by applying the technical matter relating to the layering of the shaft tube and the holding member described in document 7 to the layered structure of the cylindrical portion and the holding portion described in document 1.

Claim 4

The invention described in claim 4 does not appear to involve an inventive step because it is obvious to a person skilled in the art based on documents 1-7.

If a smooth insertion-enabling shape constructed from uneven shapes is provided in the layered structure of the cylindrical portion and the holding portion described in document 1 based on the technical matters described in documents 2-6, the cylindrical portion and the holding portion may be considered to be "freely detachable" as long as said portions are not made into a single body by adhesion, fusion, or the like.

The cylindrical portion and the holding portion may be considered to be "freely detachable" if the technical matter described in document 7 is applied to the invention described in document 1 to provide a smooth insertion-enabling shape constructed in a tapered form at either the cylindrical portion or the holding portion described in document 1; and to form a concave portion at the front portion of the shaft tube, attach a writing instrument holding correction instrument comprising a cylindrical portion and a holding portion to the concave portion, and fix the writing instrument holding correction instrument with the tip member attached to the shaft tube tip.

Claim 5

The invention of claim 5 does not appear to involve an inventive step because it is obvious to a person skilled in the art based on documents 1-7.

Transparent and semi-transparent grip members are both widely known in writing instruments. Refer to paragraph 0010 of document 6, for example.

Consequently, the matter of "making the surface layer transparent or semi-transparent and forming the inner layer to have a color different from said surface layer" in the invention of claim 5 would be easily conceived by a person skilled in the art.

Claim 6

The invention of claim 6 does not appear to involve an inventive step because it is obvious to a person skilled in the art based on document 1 and document 6.

Claim 1 in the scope of claims of document 6 has the following description:

"A shaft tube grip attachment structure characterized in that a surface of a portion for shaft tube grip insertion undergoes satin processing."

Document 6 does not describe satin processing of the grip inner surface.

Consequently, the matter of "making the inner surface of the surface layer shiny" in the invention of claim 6 would be easily conceived by a person skilled in the art.

Claim 7

The invention of claim 7 does not appear to involve an inventive step because it is obvious to a person skilled in the art based on documents 1-9.

Supplemental Box

Continuation of Box V.2

Reference should be made to claim 1 and claim 2 in document 8 along with claim 1 in document 9 for the matter of restriction in claim 7.

Claim 8

The invention of claim 8 appears to be novel and to involve an inventive step.

In particular, the following technical matter of the invention of claim 8 is not disclosed in any of documents 1-9:

The matter of increasing the inner diameter of the surface layer in contrast to the outer diameter of the corresponding inner layer, and of attaching the surface layer in the direction of the axis in a compressed state.

This technical matter cannot be considered obvious to a person skilled in the art based on documents 1-9.

Claim 9

The invention of claim 9 does not appear to involve an inventive step because it is obvious to a person skilled in the art based on documents 1-9.

The specification, page 5, lines 3-7 in document 1 has the following description:

"...comprises said cylindrical portion 2 (note: apparently a typographical error for "cylindrical portion 1") through a tube body provided with brim portions 1a and 1b at the front and rear ends, and the holding portion 2 is externally attached between the brim portions 1a and 1b at the outer circumference of the tube body, thereby forming a single unit of the cylindrical portion 1 and the holding portion 2 as shown in Fig. 6."

Refer to Fig. 2 in document 8.

The matters of whether to provide a brim at the surface layer or the inner layer, and which side the brim should face are merely simple design matters for a person skilled in the art.

Consequently, the matter of "forming a protruding portion extending at the tip portion of the surface layer toward the axis, with the rear surface of said protruding portion in contact with the tip surface of the inner layer" in the invention of claim 9 would be easily conceived by a person skilled in the art.

Claim 10

The invention of claim 10 does not appear to involve an inventive step because it is obvious to a person skilled in the art based on documents 1-9.

The matter of "the average thickness of the surface layer corresponding to the inner layer is between 1 mm and 5 mm" in the invention of claim 10 is merely a numerical restriction which may be appropriately set by a person skilled in the art.